

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jan 03, 2025**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

ESTATE OF JONNY TORRES, by  
and through his Personal  
Representative Manuel Banda; JAMIE  
VALENCIA, parent of Jonny Torres;  
MARIA M. TORRES, parent of Jonny  
Torres,

Plaintiffs,

v.

KENNEWICK SCHOOL DISTRICT  
NO. 17, a quasi-government agency  
and agents thereof with knowledge and  
responsibility; TAMARA VASQUEZ,  
individually and in her capacity as  
nurse at Highland Middle School;  
CITY OF KENNEWICK, d/b/a  
Kennewick Fire Department and City  
of Kennewick Ambulance and agents  
thereof with knowledge and  
responsibility; and DAVID DAY,  
ANTHONY MARSH, MARK COOK,  
and CHRISTOPHER JOHNSON, in  
their capacity as medical responders for  
City of Kennewick,

Defendants.

No. 4:19-CV-05038-MKD

ORDER RE STIPULATION FOR  
DISMISSAL WITH PREJUDICE

**ECF No. 576**

Before the Court is the parties' Stipulated Motion for Order of Dismissal With Prejudice and Without Costs, ECF No. 576. The parties stipulate to the dismissal of this action, with prejudice and without an award of attorneys' fees or costs to any party. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. The stipulation is signed by all parties who have appeared and have not already been dismissed from the case.<sup>1</sup>

Accordingly, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Order of Dismissal With Prejudice and Without Costs, **ECF No. 576**, is **GRANTED**.
2. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims are **DISMISSED with prejudice**, without an award of fees or costs.
3. All pending motions, if any, are **DENIED as moot**.
4. All pending dates and deadlines are **STRICKEN**.

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<sup>1</sup> The only remaining Defendant in this case is Kennewick School District No. 17. The stipulation has been signed by counsel for this Defendant.

1           **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
2 Order, provide copies to the parties, and **CLOSE** the file.

3                   DATED January 3, 2025.

4                               s/Mary K. Dimke  
5                               MARY K. DIMKE  
6                               UNITED STATES DISTRICT JUDGE  
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